



**PATENTS**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicants:** Joseph A. Rothnagel, et al.

**Examiner:** T. McKelvey

**Serial No.:** 09/880,253

**Art Unit:** 1636

**Filed:** June 13, 2001

**Docket:** 13711

**For:** EXPRESSION MODULATING  
SEQUENCES

**Dated:** November 26, 2002

Assistant Commissioner for Patents  
Washington, D.C. 20231

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**PRELIMINARY AMENDMENT AND  
RESPONSE TO THE OFFICE COMMUNICATION DATED 9/30/02**

TECH CENTER 1600/2900

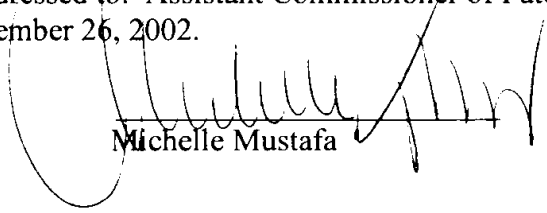
Sir:

In connection with the Office Communication dated September 30, 2002 and in accordance with the provisions in 37 C.F.R. §1.821, Applicants submit herewith a substitute paper copy and a substitute computer readable copy of the Sequence Listing, along with a Statement Under 37 C.F.R. §1.821(f), stating that these copies are identical. Applicants also submit the following amendment for entry in the above-identified case.

**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents and Trademarks, Washington, D.C. 20231 on November 26, 2002.

Date: November 26, 2002

  
Michelle Mustafa